APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office	MAR 04 2004	
Returned to applicant for correction	MAR 22 2004	
Corrected application filed		
Map filed	MAR 26 2004 under 70921	

The applicant WESTERN SUPPLY CORP. C/o Lewis Operating Corp, hereby makes application for permission to change the Place of use and manner of use of a portion of of water heretofore appropriated under Claims 700, 700-1/2 and 701 of The Truckee River Decree, said decree entered in the District Court of The United States for Nevada in that certain action entitled, The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants," in Equity Docket No. A-3

- 1. The source of water is **STEAMBOAT CREEK**
- 2. The amount of water to be changed 3.34 CFS NOT TO EXCEED 614.43 ACRE FEET ANNUALLY
- 3. The water to be used for **INSTREAM FLOW**
- 4. The water heretofore permitted for AS DECREED
- 5. The water is to be diverted at the following point NW¼ NE¼ OF SECTION 33, T.18N., R.20E., M.D.B.&M. THROUGH THE CRANE AND CLOW DITCH (FORMERLY KNOWN AS THE BULLOCK AND CRANE DITCH) PER THE DECREE
- 6. The existing permitted point of diversion is located within
- 7. Proposed place of use SEE EXHIBIT "A" ATTACHED HERETO. REFERENCE IS MADE TO TR-008, 012, 021, 026, 039, 046 AND 047. AND PERMIT 64288
- 8. Existing place of use T.18N., R.20E., M.D.B.&M. 136.54 ACRES WITHIN THE SE¹/₄ OF SECTION 21 AND THE NW¹/₄ NP¹/₄ AND THE NE¹/₄ NE¹/₄ OF SECTION 28. APN 16-420-03, -04, -12. REFERENCE IS MADE TO TR-012
- 9. Use will be from JANUARY 1 to DECEMBER 31 of each year.
- 10. Use was permitted from **AS DECREED**.
- 11. Description of proposed works WATER WILL BE DIVERTED WITHIN THE EXISTING STEAMBOAT CREEK CHANNEL AND THE TRUCKEE RIVER
- 12. Estimated cost of works UNKNOWN SUBJECT TO PERMIT CONDITIONS
- 13. Estimated time required to construct works UNKNOWN SUBJECT TO PERMIT CONDITIONS
- 14. Estimated time required to complete the application of water to beneficial use TEN YEARS
- 15. Remarks: THIS WATER WILL BE DIVERTED WITHIN EXISTING STEAMBOAT CREEK CHANNEL TO PROVIDE INSTREAM FLOWS BETWEEN THE POINT OF DIVERSION AND THE VISTA GAUGE ON THE TRUCKEE RIVER. UPON PASSING THE VISTA GAUGE THE WATER WILL BE CONSIDERED RETURN FLOW AND

AVAILABLE FOR DOWNSTREAM USERS. IT IS NOT THE INTENT OF THIS APPLICATION TO CONVERT TO INSTREAM FLOW ANY WATER RELEASED FROM WASHOE LAKE THAT MAY BE ASSOCIATED WITH CLAIMS 700, 700-1/2 OR 701 AND THIS APPLICATION.

> ROBERT E. FIRTH By s/Robert E. Firth 360 E. RIVERVIEW CIRCLE **RENO. NV 89509**

Compared	cmf/ sam	1 t/gk1	
COLLEGE			

Protested.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do

hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of a portion of the waters of Steamboat Creek as heretofore granted under Claim Nos. 700, 700.5 and 701 of the Truckee River Decree is subject to the terms and conditions imposed in said decree and with the understanding that no other right on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Measuring devices shall be designed and a monitoring plan shall be submitted to and approved by the State Engineer prior to filing the proof of completion of work. Furthermore, no return flow credit water for subdivisions will be approved from this permit until data supporting the use has been approved by this office. This permit is issued subject to the continuing jurisdiction and regulation by the Federal Water Master and the State Engineer.

By the issuance of this permit, the supplemental storage rights described under Truckee River Claim Nos. 660 and 668 can no longer be used at the existing place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.705 cubic feet per second, but not to exceed 613.21 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 23, 2007

Proof of completion of work shall be filed on or before: October 23, 2007

Proof of the application of water to beneficial use shall be filed on or before: ${\color{red} \underline{\text{October 23, 2010}}}$

Map in support of proof of beneficial use shall be filed on or before: \mathbf{N}/\mathbf{A}

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 23rd day of September A.D. 2005

State Engineer

Completion of work filed		
Proof of beneficial use filed		
Cultural map filed	N/A	
Certificate No.		Issued

EXHIBIT "A"

STEAMBOAT CREEK, Within: Township 18 North, Range 20 East M.D.B.&M

NENW NWNW SWNW NWSW SWSW	Section 3 Section 3 Section 3 Section 3 Section 3
NWNW SWNW NWSW SWSW	Section 10 Section 10 Section 10 Section 10
NWNW SWNW NWSW	Section 15 Section 15 Section 15
NESE Section	on 16
SESE Section	
SESE Section	on 16
SESE Section SWSE NWNE SWNE NWSE	Section 16 Section 21 Section 21 Section 21 Section 21

EXHIBIT "A"

Proposed Place of Use

STEAMBOAT CREEK, Within: Township 19 North, Range 20 East M.D.B.&M

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SWSE SESE	Section 11 Section 11
SWSW SESW	Section 12 Section 12
NWNW NENW NWNE	Section 13 Section 13 Section 13
SWSW NWSW SWNW SENW NENW NENW NWNE NENE	Section 14
SESE	Section 15
SWSW SESW NESW NWSE SENW SWNE NWNE NENE	Section 22 Section 22 Section 22 Section 22 Section 22 Section 22 Section 22
NWNW	Section 23
NWNW	Section 27
SESE NESE SENE NENE	Section 28 Section 28 Section 28 Section 28
NENE	Section 33
NWSW SWNW NWNW NESW SESW	Section 34 Section 34 Section 34 Section 34

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